## Merchant & Gould

An Intellectual Property Law Firm

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October 29\_, 2004

TO: Commissioner for Patents

Patent Examining Corps

Facsimile Center

Alexandria, VA 22313-1450

Robert A. Kalinsky FROM:

OUR REF: TELEPHONE: 14485.155US01 612.336.4771

USPTO Centralized Facsimile No.: 1-703-872-9306

Total pages, including cover letter

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.9081.

Title of Documents Transmitted: 1. Supplemental Information Disclosure Statement.

2. Form 1449.

Applicant:

Marrs et al.

Our Ref. No.:

14485.155US01

Serial No.:

10/705,736

Confirmation No.:

4988

Filed:

November 10, 2003 Customer No.:

23552

Group Art Unit:

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Name: Robert A. Kalinsky

Reg. No.: 50,471

RAK:pll

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

S/N 10/705,736

11:45AM

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

OCT-29-04"

Marrs et al.

Examiner:

To Be Assigned

Serial No.:

10/705,736

Group Art Unit:

3762

RECEIVED

Filed:

November 10, 2003

Docket No.:

14485.155US01 CENTRAL FAX CENTER

Customer No.:

23552

Confirmation No.:

4988

OCT 2 9 2004

Title:

Subcutaneous Infusion Device and Method

## CERTIFICATE UNDER 37 CFR 1.6(d):

The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 29, 2004.

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted, MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 332-5300

Date: October 29, 2004

Name: Robert A. Kalinsky

Reg. No.: 50,471

RAK:pll

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T-477 P.004/004 F-940

Date Mailed: October 29, 2004

Sheet I of I

Customer No. 23552

FORM 1449* INFORMATION DISCLOSURE STATEMENT	Docket Number: 14485.155US01	Application Number: 10/705,736	
IN AN APPLICATION	Applicant: Marrs et al.	Confirmation No.: 4988	
(Use several sheets if necessary)	Filing Date: November 10, 2003	Group Art Unit: 3762	

		τ	.S. PATENT DOCUMEN	NTS				
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING IF APPRO	DATE OPRIATE	
	2004/0143216 A1	07/22/2004	Douglas et al.				•	
	2004/0158207 A1	08/12/2004	Hunn et al.				<del></del>	
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	n ogyn gramayo	DATE	COUNTRY	CLASS	SUBCLASS	SUBCLASS TRANSLATION		
	DOCUMENT NO.	DATE	COONIRI	CLASS	SOBCEASS	YES	NO	
-			D (Table 1) - Augh - Mil	Dan Baria	) } }			
	OTHER	DOCUMENT	S (Including Author, Title,	Date, Pertinent)	ages, Etc.)			
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EXAMINER	DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

<sup>\*</sup>Substitute Disclosure Statement Form (PTO-1449)